

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TENNESSEE  
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
VS.	)	Crim. No. 03-10083-JDT
	)	Civ. No. 16-1157-JDT
	)	
KEVOUS RAMON MCKINNEY,	)	
	)	
Defendant.	)	

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ORDER REINSTATING ORIGINAL SENTENCE

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This Court granted relief to Defendant Kevous Ramon McKinney pursuant to 28 U.S.C. § 2255 based on the decisions in *Johnson v. United States*, 135 S. Ct. 2551 (2015), and *United States v. Stitt*, 860 F.3d 854 (6th Cir. 2017) (*Stitt I*). An amended criminal judgment was entered, reducing McKinney's sentence to time served, and the United States appealed. Subsequently, in *United States v. Stitt*, 139 S. Ct. 399 (2018) (*Stitt II*), the Supreme Court reversed the Sixth Circuit's decision in *Stitt I*. On September 26, 2019, the Court of Appeals reversed the grant of relief under § 2255 pursuant to the Supreme Court's opinion in *Stitt II* and remanded with instructions to reinstate McKinney's original sentence. *McKinney v. United States*, No. 17-5956 (6th Cir. Sept. 26, 2019). The mandate has now issued.

In light of the limited nature of the remand, solely for the purpose of reinstating the original sentence, no hearing is necessary. A second amended criminal judgment will be

entered in accordance with the order of the Court of Appeals, reinstating McKinney's sentence of 211 months in the custody of the Bureau of Prisons and a 3-year term of supervised release.

IT IS SO ORDERED.

s/ **James D. Todd**  
JAMES D. TODD  
UNITED STATES DISTRICT JUDGE